

# LYNCHBURG CITY COUNCIL

## Agenda Item Summary

MEETING DATE: **December 13, 2005, Work Session**

AGENDA ITEM NO.: 4

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Proposed Ordinance to Require Owners to Clean Up After Their Dogs**

RECOMMENDATION: Authorize the advertisement of a public hearing to receive comment on a proposed ordinance to require owners to clean up after their dogs defecate on public property or private property without permission.

SUMMARY: For some time there has been growing concern about dog owners allowing their pets to defecate on public property or private property without permission of the property owner and failing to remove the waste. Council members have heard these concerns and have even raised them at past work sessions. Recently residents of Wyndhurst presented a petition (attached) asking Council to take steps to provide penalties for owners who fail to clean up after their dogs. Council Member Seiffert asked that the matter be brought before Council.

The City Attorney has drafted the attached ordinance for Council's consideration. Council is asked to authorize a public hearing on this matter for its January 10, 2006 regular meeting.

PRIOR ACTION(S): None

FISCAL IMPACT: None

CONTACT(S): Kimball Payne, 455-3990; Walter Erwin, 455-3973

ATTACHMENT(S): Petition; Proposed Ordinance

REVIEWED BY: lkp

## ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 7-12. CLEANING UP AFTER DOGS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 7-12 as follows:

Sec. 7-12. Cleaning up after dogs.

(a) It shall be unlawful for any owner or person in control of any dog to allow such dog to defecate on public property or on the private property of other persons without their consent or the consent of the owner's authorized agent.

(b) Provided however, defecation by a dog on public or private property shall not constitute a violation of this section if the owner or person in control of the dog immediately removes the defecated matter and disposes of it in a safe and sanitary manner.

(c) A violation of this section shall constitute a class 4 misdemeanor.

(d) To charge someone with a violation of this section the person observing the violation shall appear before the magistrate and provide the magistrate with the information necessary for the issuance of a summons or warrant.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

November 21, 2005

Honorable Mayor Carl Hutchinson  
City of Lynchburg, Virginia

Dear Mayor Hutchinson,

Enclosed is a petition from the residences of Wyndhurst, as requested. The petition consists of 63 signatures.

We are requesting a city ordinance that would penalize pet owners who fail to pick up their pet's litter.

Thank you for your attention to this matter.

Respectfully,

  
Mary DeWitt

Chairman: Parks POA Ground Committee  
106 Wyndsong Place  
Lynchburg, Virginia 24502

Home phone: 237-0602

cc: Andy Courde  
K. Payne

[illegible]

We, the undersigned residents of the City of Lynchburg, state our dissatisfaction with the high level of dog excrement in Wyndhurst. We want to see dog owners held accountable for their pet's litter. Accountability means, we want a city ordinance that would penalize dog owners who fail to pick up their dog's litter.

Signed	Print Name	Address
<del>DeWitt</del>	MARY DeWITT	106 WYNDHURST PL
<del>Cynthia Shoemaker</del>	Cynthia Shoemaker	1212 Running Cedar Way
<del>Paul Miller</del>	Paul Miller	Wyndhurst
Shannon Miller	Shannon Miller	Wyndhurst
Kaye K. Crosby	Kaye K. Crosby	202 Wyndhurst Dr.
Steven McCann	Steven McCann	304 Bell St Lyby 24501
A C Brooks	A C BROOKS	100 Wyndhurst Dr 24502
Toby Brooks	Toby Brooks	"
Joe Popcinale	Joe Popcinale	103 Wyndhurst Dr
Dorothy Templeton	Dorothy Templeton	601 Wyndhurst Dr Unit 304
Kenneth Templeton	Kenneth Templeton	601 Wyndhurst Dr. Lyby 24502
Debbie H. Ellis	Debbie H. Ellis	2092 PLUM BRANCH RD CONCORD VA.
<del>Blake Edwards</del>	BLAKE EDWARDS	3800 HORIZON DRIVE, Forest 24551
<del>Jonathan H. H.</del>	Jonathan H. H.	112 Lafayette Pl., Forest, VA. 24551
<del>Najwa Wallschlager</del>	Najwa Wallschlager	235 Northwood Cir, Lynch 24502
<del>Joel Wallschlager</del>	Joel Wallschlager	235 Northwood Cir L Bury 24502
<del>Gideon Hale</del>	Gideon Hale	404 Clays Crossing Dr. Forest 24551
Matthew Guthrie	Matthew Guthrie	5100 Cottonwood Rd. Forest 24551
Rebecca Harper	Rebecca Harper	5155 MILLVIEW LN WYNDHURST 24502
Rebecca Walker	REBECCA WALKER	84 V. KING DR Lynch 24502
Chelsea Leier	Chelsea Leier	Liberty University
Ashley Holby	Ashley Holby	Liberty University
Heather Murray	Heather Murray	Liberty University
John Wherry	John Wherry	83 V. King Dr Lynchburg 24502
Toni Elkins	Toni Elkins	1600 N. Williams Rd 24502
<del>Barbara Rogers</del>	BARBARA ROGERS	606 WYNDHURST DR 24502
George Rogers	George Rogers	" " " "

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Signed \_\_\_\_\_

Print Name

## Address

[illegible]

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## Address

[illegible]